

UNITED STATES DISTRICT COURT
District of Minnesota

John Doe I, John Doe II, John Doe III, Civil
Jane Doe I, John Doe IV, John Doe V,
John Doe VI, John Doe VII, John Doe VIII,
John Doe IX, John Doe X, John Doe XI,
Jane Doe II, and John Doe XII

JUDGMENT IN A CIVIL CASE

V.

Case Number: 08-cv-306 (DWF/SRN)

Mulcahy, Inc., and Gary T. Mulcahy, Sr.
in his official and personal capacities

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☒ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED THAT:

1. The proposed Settlement has the Courts final approval; 2. The final judgment is docketed and entered; 3. Class Counsel fees and costs are approved; 4. The Court finds that implementing the creditors Settlement Agreement is critical to preserving and protecting the interests of the Class, that failure to implement the Settlement Agreement would result in detriment to the interests of the Class. Therefore, the Court directs that the creditors' Settlement Agreement is hereby incorporated into the Class Stipulation of Settlement, deemed executed and hereby approved, subject still, however, to the proviso contained in paragraph 7 of the Settlement Agreement that the Settlement Agreement does not supersede or amend the Stipulation of Settlement which shall control in the event of any inconsistency between the Settlement Agreement and the Stipulation of Settlement.; and 5. To the extent that the parties conclude that documents collateral to the creditors Settlement Agreement require signature, Class Counsel, Miller OBrien Cummins, PLLP, is hereby authorized to execute, on behalf of the Plaintiff Class, such collateral documents, and including the Creditor Agent Agreement and Note Purchase Agreement, all as defined in the Settlement Agreement, and to sign such other documents and take such other actions as necessary to close and perform under the Settlement Agreement.

May 24, 2010

Date

RICHARD D. SLETTEN, CLERK

s/Janet Midtbo

(By)

Janet Midtbo, Deputy Clerk